



PLANNING COMMISSION AGENDA REPORT

TO: Chairman and Commissioners
City of La Habra Planning Commission

FROM: Roy N. Ramsland Jr., Planning Manager
By: Chris Schaefer, Senior Planner

DATE: February 13, 2017

CASE: Consideration of a request for Design Review 16-12 and Conditional Use Permit 16-12 for a restaurant and Lot Line Adjustment 16-01 at 602 South Harbor Boulevard along with Modification 16-03 to Conditional Use Permit 98-53 for vehicle storage (equipment rental) at 600 South Harbor Boulevard.

SUMMARY RECOMMENDATION

It is recommended that the Planning Commission approve Design Review 16-12 and Conditional Use Permit 16-12 for a restaurant, and a Lot Line Adjustment 16-01 at 602 South Harbor Boulevard along with Modification 16-03 to Conditional Use Permit 98-53 for vehicle storage (equipment rental) at 600 South Harbor Boulevard in conjunction with Home Depot, subject to the findings and conditions in the attached resolutions.

PROJECT PROPOSAL

Description

The Applicant, Home Depot USA, is proposing to reconfigure an existing parcel addressed as 602 South Harbor Boulevard and construct a new drive-through restaurant. In addition, modification of an existing equipment rental operation (vehicle storage) is proposed for the Home Depot store at 600 South Harbor Boulevard.

The property is located on the northeast corner of Harbor Boulevard and Lambert Road (see Vicinity Map, attachment 1). The General Plan land use designation is Light Industrial. The property is zoned Light Manufacturing (M-1) and is consistent with the General Plan.

Discussion

On March 2, 1998, the Planning Commission approved Mitigated Negative Declaration 97-03 and Conditional Use Permit 97-20 to establish retail uses (Home Depot) in the Light Manufacturing zone. The subject requests include two (2) parcels: one (1) developed with a Home Depot store and the remaining one (1) is developed with a parking lot.

602 South Harbor Boulevard

Lot Line Adjustment 16-01

The subject 0.637 acre parcel located at the southeast corner of Lambert Road and Harbor Boulevard is rectangular in shape with the narrow axis fronting Lambert Road and the long axis fronting Harbor Boulevard. The Applicant is proposing to reconfigure the parcel by flipping it so that the long axis faces Lambert Road. The lot dimensions are approximately 107 feet by 277 feet

Pursuant to the California Subdivision Map Act Government Code Section 66412.D, lot line adjustments (LLAs) are permitted between four (4) or fewer existing adjoining parcels, where the land taken from one parcel is added to an adjoining parcel, and does not create a greater number of parcels than originally existed.

Pursuant to La Habra Municipal Code (LHMC) Section 17.20, LLAs may be approved by the Planning Commission subject to the findings contained in Section 17.20.030 of the La Habra Municipal Code (LHMC). The LLA is consistent with the Subdivision Map Act and the required findings can be made. Therefore, it is recommended that the Planning Commission approve Lot Line Adjustment 16-01 subject to the findings and conditions in the attached resolution (see Resolution – LLA 16-01, attachment 2).

Design Review 16-12 and Conditional Use Permit 16-12

The Applicant is proposing to develop the reconfigured site with a 3,200 square foot drive-through restaurant (Farmer Boys). As a result of the reconfigured parcel, the existing Home Depot parking lot will also be reconfigured. Sixteen (16) parking spaces will be relocated to create an east/west oriented drive aisle that comes directly from the main driveway to Lambert Road.

The newly configured parcel contains a 160-foot long drive-through lane with stacking for ten (10) vehicles, 38 parking spaces, an outdoor dining patio, landscaping, and a trash enclosure. The drive-through lane is located on the south side of the building and will consist of double entry aisles, each with an order speaker box to assist in speeding customers through. A 372 square foot covered outdoor seating area which will seat approximately ten (10) people will be located on the west side of the building and a trash enclosure, finished to match the building, will be placed on the east side of the property.

The building's architectural design includes stacked stone covered wainscot, tower elements, metal awnings, decorative cornice, stucco façade, and vertical metal landscape trellises. The interior of the restaurant will consist of a 1,050 square foot dining/seating area, a 540 square foot customer order area, a 980 square foot kitchen, a 320 square foot storage area, and two ADA-accessible restrooms (see Site Plan, Floor Plan, and Elevations – Design Review, attachment 6).

The proposed hours of operation are from 6:00 a.m. to 12:00 p.m. (midnight), daily with five (5) employees per shift.

Pursuant to Section 18.38.050(D) of the Zoning Code, all new development in the M-1 zone are required to be reviewed through the provisions established in Chapter 18.68 (Design Review).

The architectural and site design of the restaurant will provide an attractive development adjacent to a major intersection. While the project is not located in a design district, the project will utilize architectural elements, colors, and materials that are specified in the La Habra Boulevard Specific Plan.

Pursuant to Section 18.06.040(A) of the La Habra Municipal Code (LHMC), restaurants are permitted within the M-1 zone with the approval of a Conditional Use Permit by the Planning Commission.

The location for the proposed restaurant is on a major intersection within an area developed with light industrial and retail uses. The closest residential property is approximately a quarter of a mile away, therefore noise and odors will not be an issue. Additionally, the site was previously evaluated as part of Mitigated Negative Declaration 97-03 for a 6,000 square foot retail building. Therefore, the restaurant is an acceptable use for the subject property.

It is therefore recommended that the Planning Commission approve Design Review 16-12 and Conditional Use Permit 16-12 for a restaurant and a Lot Line Adjustment 16-01 at 602 South Harbor Boulevard, subject to the findings and conditions in the attached resolutions (see Resolutions, attachments 2, 3, and 4).

600 South Harbor Boulevard

Modification 16-03 to Conditional Use Permit 98-53

The subject site totals 9.58 acres in size and is improved with a 107,920 square foot Home Depot store building with a 23,928 square foot outdoor garden center. In May 1999, the Planning Commission approved Conditional Use Permit (CUP) 98-53 for an enclosed rental equipment storage area. Under the approval for CUP 98-53, the project was conditioned to allow for four (4) rental vehicles which were permitted to be stored adjacent to the outdoor garden area (see Site Plan – Conditional Use Permit, attachment 8). The Applicant is requesting approval of a Modification for the revised and expanded rental operation.

At the time of approval of CUP 98-53 in 1999, the Code did not list “equipment rental” as a permitted use, either conditionally or by right. However, an interpretation was approved by the Planning Commission to permit the outdoor storage of rental vehicles as a part of the Home Depot store operation as the Commission had the ability to approve the use via a CUP. The Commission made the finding that the use was acceptable as it was determined to be “not more noxious or detrimental to the welfare of

the community than the uses permitted in the zone.” In 2010, the Code was updated and the aforementioned language was amended in Section 18.08.050 “Additional permitted uses,” however, provided the same mechanism for the Commission to approve uses not specifically listed in the Code.

The equipment rental operation consists of three (3) components: an existing truck rental portion (Penske), an existing tool rental operation with an outdoor equipment enclosure, and a proposed compact power portion, consisting of small tractors stored on trailers or other small towed equipment (see Project Description – Conditional Use Permit, attachment 9). All trucks and equipment will be parked in existing marked stalls within the parking lots.

The Penske trucks will be relocated from the approved area adjacent to the garden center to occupy eight (8) parking spaces in the northwestern portion of the parking lot behind (north) the building. The outdoor equipment enclosure will remain in its current location at the southwestern exterior portion of the building. The new “compact power” equipment will utilize sixteen (16) parking spaces in the western portion of the parking lot, in front (south) of the Home Depot building and north of the proposed Farmer Boys. The hours of operation will coincide with the store hours which are currently Monday through Saturday, 6 a.m. to 10 p.m. and Sunday from 7 a.m. to 8 p.m. A condition of approval has been placed on the project to limit the rental operation to the current store hours.

Pursuant to Section 18.06.040.A “Land Use Matrix” of the La Habra Municipal Code (LHMC), a “rental operation” is not listed as a permitted use, either conditionally or by right. The staff has determined that is proposed use is similar in nature to vehicle storage and therefore permitted by Conditional Use Permit, thus allowing for the existing Conditional Use Permit to be modified.

An equipment rental operation is a comparable use with the subject use and the adjacent uses in the area. The property is located at a major highway intersection which will allow for quick and convenient access by the public. Additionally, portions of this proposal had been in place since 1999.

Therefore, it is recommended that the Planning Commission approve Modification 16-03 to Conditional Use Permit 98-53 for vehicle storage (equipment rental) at 600 South Harbor Boulevard, subject to the findings and conditions in the attached resolution (see Resolution – Modification 16-03 to Conditional Use Permit 98-53, attachment 5).

Code Compliance

602 South Harbor Blvd. (Farmer Boys)

	<u>Required</u>	<u>Provided</u>
Building Height	35 feet (max)	22 feet, 6 inches
Front Setback	15 feet	48 feet
Rear Setback	20 feet	102 feet
Side Setback (south)	10 feet	27 feet

Side Setback (north)	0 feet	32 feet
Floor Area Ratio	80 %	13 %
Parking	29 spaces	38 spaces
Landscaping	1,542 SF (7%)	2,490 SF (11%)
Street landscape setbacks		
Front	15 feet	15 feet
Street side	10 feet	10 feet

600 South Harbor Blvd. (Home Depot)

	<u>Required</u>	<u>Proposal</u>
Front Setback	15 feet	25 feet
Side Setback (north)	0 feet	80 feet
Side Setback (south)	10 feet	368 feet
Rear Setback	0 feet	18 feet
Building Height	35 feet (Max)	32 feet
Floor Area Ratio (FAR)	0.80 FAR	0.27 FAR
Landscaping – Parking area	19,920 SF (7%)	22,310 SF (7.8%)
Parking	443 spaces	452 spaces

NPDES

The Applicant's proposal has been reviewed pursuant to the requirements of the City's National Pollutant Discharge Elimination System (NPDES) Municipal Permit, the Local Implementation Plan (LIP), and the Model Water Quality Management Plan (WQMP), Section 7.2. Since the proposal will constitute the disturbance of more than 5,000 square feet of soil, a Priority WQMP is required. A Preliminary Priority WQMP has been reviewed and approved. All work undertaken will be required to incorporate Best Management Practices (BMPs) as required by the WQMP.

CEQA

The projects were reviewed pursuant to the guidelines of the California Environmental Quality Act (CEQA) and determined to be Categorically Exempt pursuant to Section 15303, Class 3: "New Construction or Conversion of Small Structures" of the CEQA Guidelines. The project is exempt as the new construction in an urbanized area will not exceed 10,000 square feet.

General Plan Relevance

The project implement Policies LU 2.2 (Places to Shop), LU 3.2 (Uses to Meet Daily Needs), LU 3.8 (Cohesive and Integrated Development), LU 4.1 (Development Compatibility), LU 4.4 (Design Review), LU 11.1 (Diversity of Uses), LU 11.6 (Enhanced Design Character), LU 11.7 (Architecture and Site Design), LU 16.4 (Supporting Uses), ED 1.1 (Consumer Demand), ED 2.1 (Business Attraction), and E 2.7 (Energy Efficient Design) of the General Plan 2035.

Related Cases

- On March 2, 1998, the Planning Commission approved Mitigated Negative Declaration 97-03 and Conditional Use Permit 97-20 for retail shops in conjunction with a Home Depot store in the Light Manufacturing zone. Conditional Use Permit 97-20 also included the approval of a seasonal sales lot (Christmas Trees) as per the plans submitted.
- On May 11, 1998, the City Council approved a Parcel Map to subdivide one parcel into four parcels.
- On July 27, 1998, the Planning Commission approved Modification 98-04 to Conditional Use Permit 97-20 to modify the approved site plan and reduce the amount of floor area for the Home Depot building.
- On March 22, 1999, the Planning Commission approved Conditional Use Permit 98-49 for a 25-foot tall free-standing sign on Harbor Boulevard and Conditional Use Permit 98-50 for a 25-foot tall free-standing sign on Lambert Road.
- On May 10, 1999, the Planning Commission approved Conditional Use Permit 98-53 for an enclosed rental equipment storage area.
- On May 24, 1999, the Planning Commission approved Lot Line Adjustment 99-61 to adjust the lines for three parcels.

REQUIRED FINDINGS

Findings of Fact are required to be made before a Design Review and Conditional Use Permit can be granted. The findings are provided in the attached resolutions along with conditions that staff has identified as being necessary to ensure that the proposed projects will have no negative effects on the public welfare and compliance with all appropriate City codes and ordinances (see Resolutions, attachments 2, 3, 4, and 5).

RECOMMENDATION

It is recommended that the Planning Commission adopt resolutions entitled:

Lot Line Adjustment 16-01

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA APPROVING LOT LINE ADJUSTMENT 16-01 FOR THE PROPERTY AT 602 SOUTH HARBOR BOULEVARD, AS PER THE APPROVED PLANS AND SUBJECT TO CONDITIONS.

Design Review 16-12

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA APPROVING DESIGN REVIEW 16-12 FOR A RESTAURANT AT 602 SOUTH HARBOR BOULEVARD, AS PER THE APPROVED PLANS AND SUBJECT TO CONDITIONS.

Conditional Use Permit 16-12

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA APPROVING CONDITIONAL USE PERMIT 16-12 FOR A RESTAURANT AT 600 SOUTH HARBOR BOULEVARD, AS PER THE APPROVED PLANS AND SUBJECT TO CONDITIONS.

Modification 16-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA HABRA APPROVING MODIFICATION 16-03 TO CONDITIONAL USE PERMIT 98-53 FOR VEHICLE STORAGE (EQUIPMENT RENTAL) AT 600 SOUTH HARBOR BOULEVARD, MAKING THE APPROPRIATE FINDINGS, AS PER THE APPROVED PLANS, AND SUBJECT TO CONDITIONS.

ATTACHMENTS

1. [Vicinity Map](#)
2. [Resolution – LLA 16-01](#)
3. [Resolution – Design Review 16-12](#)
4. [Resolution – Conditional Use Permit 16-12](#)
5. [Resolution – Modification 16-03 to Conditional Use Permit 98-53](#)
6. [Lot Line Adjustment 16-01](#)
7. [Site Plan, Floor Plan, and Elevations – Design Review](#)
8. [Site Plan – Conditional Use Permit](#)
9. [Project Description – Conditional Use Permit](#)
10. [Resolution No. 99-51](#)
11. [Noticing](#)
12. [Applications](#)